

REMARKS

This is in response to the office action dated November 19, 2002. Reconsideration is requested.

"Claims 1-12, and 25-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carney (U.S. Patent 5,784,452)."

Claims 1, 5, 25 and 33 have been amended to clearly state that there is a plurality of different resources being presented and assigned and not a plurality of a single resource.

Carney discloses only one resource agents which can be grouped. The method and systems of the present invention, as claimed in claims 1, 4, 5, 25 and 33 require a plurality of different resources to be selected by a user and assigned (or grouped) in a relationship profile. The present invention, unlike Carney, thus advantageously allows different call center resources (such as agents, trunk lines, work groups, devices, queues, applications, campaigns, call tables and others) to be grouped so that the user can see the results and activities of the call center as they relate to the resources in each group or relationship profile (see page 14, lines 4 et seq.).

As discussed above, Carney does not disclose or suggest the providing of, the user selection of, or the assignment of

in
claim?
yes

different resources.

In addition, as discussed further below, the rejections based upon conclusory statements by the examiner that other missing claim elements not taught by Carney are well known in the art and would have been obvious to add are improper.

"Claims 13-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carney in view of Cambray et al. (U.S. Patent 5,381,470)."

Claim 13 has been amended to recite a method which includes "establishing a plurality of resource relationship profiles defining a plurality of relationships between different call center resources". *Assuming arguendo* any relationship profiles (which the examiner has not specifically pointed out) are disclosed by Carney, the only resources are agents. Thus, no relationship profile is disclosed or suggested defining a plurality of relationships between different call center resources.

Cambray et al. also does not disclose or suggest this element.

Additionally, as discussed above with respect to the rejections of all the claims, the examiner states in conclusory

fashion, and without explanation, that certain portions of Carney, and/or Cambray teach some, but not all, of the elements of each of the pending claims. With respect to the elements not taught by Carney or Cambray, the examiner merely states, without any explanation, let alone evidentiary basis, that the missing elements are well known in the art and would have been obvious to add.

Applicant submits that these rejections are all improper and that the examiner has failed to make a *prima facie* case of obviousness of all the pending claims. With respect to what is required to state a *prima facie* case of obviousness, sections 2142-2144 of the MPEP provide in pertinent part:

Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). See **MPEP § 2143 - § 2143.03** for decisions pertinent to each of these criteria. (MPEP 2142, emphasis added).

. . .

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art.

In re Royka, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). "All words in a claim must be considered in judging the patentability of that claim against the prior art." *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970). (MPEP 2143.03, emphasis added).

. . .

With respect to relying upon "official notice," the MPEP provides that "The examiner may take official notice of facts outside of the record which are capable of instant and unquestionable demonstration as being 'well known' in the art." (MPEP 2144.03, emphasis added). However, the MPEP also provides that "if the applicant traverses such an assertion the examiner should cite a reference in support of his or her position." (Id.)

Moreover, the MPEP provides:

In re Ahlert, 424 F.2d 1088, 1091, 165 USPQ 418, 420-421 (CCPA 1970) ("[A]ssertions of technical facts in areas of esoteric technology must always be supported by citation of some reference work" and "allegations concerning specific 'knowledge' of the prior art, which might be peculiar to a particular art should also be supported." Furthermore the applicant must be given the opportunity to challenge the correctness of such assertions and allegations. "The facts so noticed serve to 'fill the gaps' which might exist in the evidentiary showing" and should not comprise the principle evidence upon which a rejection is based.") (Id.)

By merely reiterating the claim elements and then stating in conclusory fashion that those elements are "well known," the examiner has clearly failed to meet the standards for a *prima facie* case of obviousness for all of the rejections of claims 6-24 and 28-36. To the extent the examiner is relying on "common knowledge" in rejecting any of the pending claims, applicant traverses those claims of common knowledge and calls upon the examiner to more specifically identify what facts are alleged to be common knowledge and further to provide evidence in support of such alleged common knowledge in the form of a citation to prior art references or in the form of an affidavit. Applicant submits that the cited elements are not well known in the art, let alone "notoriously" well known. Moreover, applicant submits that the examiner has attempted to take "official notice" of substantial portions of each of the pending claims. This is hardly the kind of *de minimis* gaps in the record for a showing of obviousness that "official notice" is intended to fill.

Accordingly, since the examiner has failed to state a *prima facie* case of obviousness of the pending claims, applicant submits that the rejections of each of the pending claims are improper and should be withdrawn.

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CONCLUSION

In view of the foregoing amendments and remarks, applicant submits that all of the pending claims are in condition for allowance and requests early and favorable action on the merits. The examiner is invited to telephone the undersigned, applicant's attorney of record, to facilitate advancement of the present application.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "**VERSION WITH MARKINGS TO SHOW CHANGES MADE.**"

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Claims:

Claims 1, 5, 13, 25, and 33 have been amended as follows:

1. (Twice Amended) A computer-implemented method of managing a call center using relationships, said call center including a plurality of different resources for handling telephone calls and communication contacts, said method comprising:

establishing call center resource data corresponding to said plurality of different resources available within said call center;

presenting to a user said plurality of different resources defined by said resource data;

receiving user selections of selected resources from said plurality of different resources presented to said user;

assigning said selected resources to a relationship profile;

assigning a relationship key field corresponding to said relationship profile to said call center resource data for each of said selected resources assigned to said relationship profile;

using said relationship key field to manage said call center;

wherein said call center resource data is organized by function into a plurality of resource categories, further

including the steps of:

presenting to said user said plurality of resource categories; and

receiving a user selection of a selected resource category, wherein said plurality of resources within said selected resource category are presented for selection by said user; and

wherein said plurality of resource categories include inbound dialed number identification service (DNIS), queues, agent workgroups, individual agents, campaigns, and call tables.

5. (Twice Amended) A computer-implemented method of managing a call center using relationships, said call center including a plurality of different resources for handling telephone calls and communication contacts, said method comprising:

establishing call center resource data corresponding to said plurality of different resources available within said call center;

presenting to a user said plurality of different resources defined by said resource data;

receiving user selections of selected resources from said plurality of different resources presented to said user;

assigning said selected resources to a relationship profile;
assigning a relationship key field corresponding to said relationship profile to said call center resource data for each of said selected resources assigned to said relationship profile; and
using said relationship key field to manage said call center;
wherein said relationship key field is used to control defining of call center strategies.

13. (Amended) A method of monitoring and presenting call center statistics in a call center, said method comprising:

establishing a plurality of resource relationship profiles
defining a plurality of relationships between different call center resources;

establishing a plurality of call center strategy profiles
defining a plurality of call center strategies, each of said call center strategies including a plurality of goals having at least one user-defined strategy threshold;

receiving call center statistic data pertaining to said call center resources;

presenting a user with a plurality of statistics display options corresponding to said resource relationship profiles;

displaying said call center statistics data pertaining to said call center resources assigned to said resource relationship profile corresponding to a selected statistics display option selected by a user from said plurality of statistics display options; and

providing an indication when said user-defined strategy threshold of one of said plurality of goals has not been reached.

25. (Twice Amended) A call center resource relationship management system for use in a call center, said call center including a plurality of different resources used for handling telephone calls, said system comprising:

call center resource data defining a plurality of different call center resources in said call center; and

a relationship manager, responsive to a user input, for accessing said call center resource data, for creating a graphical user interface presenting said plurality of different call center resources defined by said call center resource data to said user, for assigning user-selected resources to a relationship profile, and for associating a relationship key field to said call center resource data corresponding to each of said user-selected

resources;

wherein said plurality of different call center resources are organized into resource functional categories including agents, agent workgroups, devices, queues, applications, campaigns, and call tables.

33. (Amended) A call center management system for managing a call center including a plurality of different resources used for handling telephone calls, comprising:

call center resource data defining a plurality of different call center resources in said call center;

a relationship manager, responsive to a user input, for accessing said call center resource data, for creating a graphical user interface presenting said plurality of different call center resources defined by said call center resource data to said user for selection, for assigning user-selected resources to a relationship profile, and for associating a relationship key field to said call center resource data corresponding to each of said user-selected resources;

action detail data defining a plurality of generic actions that can be taken within said call center;

an action builder, responsive to a user input, for accessing said action detail data, for creating a graphical user interface presenting said generic actions to a user for selection, for combining user-defined specific action details with user-selected generic actions to build user-defined available actions in said call center;

goal data defining goals to be achieved within said call center; and

a strategy manager, responsive to user input, for accessing said goal data, for creating a graphical user interface presenting said goals and said available actions to said user for selection, and for assigning at least one user-defined threshold to a user-selected goal and for assigning at least one user-selected user-defined available action to said user-defined threshold such that said user-selected user-defined available action will occur when said user-defined threshold is met.